

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00

H-02 INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 SAJ-01 /127 W

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R 121330Z AUG 76

FM AMEMBASSY BUCHAREST

TO:SECSTATE WASHDC 9226

INFO:RUDKPNQ/AMEMBASSY COPENHAGEN 186

AMEMBASSY MOSCOW

AMEMBASSY SOFIA

AMEMBASSY WARSAW

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E.O. 11652: N/A

TAGS: EFIS, RO, ICNAF, PLOS, XN, US

SUBJ: US/GOR NEGOTIATIONS ON GOVERNMENT INTERNATIONAL FISHERY
AGREEMENT (GIFA)

REF: BUCHAREST 4692

1. SUMMARY: US DEL COMPLETED SUBJECT NEGOTIATIONS WITH GOR
ON AUGUST 11 AND HEADS OF BOTH DELS SIGNED JOINT DELEGATION
REPORT. DELS AGREED TO TEXT OF GIFA; THREE ANNEXES; TWO
AGREED MINUTES; AND RELATED LETTER RE GOR PORT CALLS IN U.S.,
ALL OF WHICH TO BE SUBMITTED AD REFERENDUM TO TWO GOVERNMENTS,
FOLLOWING WHICH ANY ALTERATIONS ARE TO BE MUTUALLY COMMUNICATED
THROUGH DIPLOMATIC CHANNELS FOR FURTHER CONSIDERATION. GOR DEL
INDICATED IT WOULD INITIATE CLEARANCE PROCESS WITHIN GOR
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GOVERNMENT, BUT UNDERSTANDS FULLY THAT U.S.G. CANNOT INITIATE

CONGRESSIONAL OVERSIGHT UNTIL AGREEMENT IS SIGNED. IN THIS REGARD, U.S. DEL RECOMMENDED SIGNING IN WASHINGTON IN EARLY FALL. GOR DEL STATED IT DOUBTED IF GOR GOVERNMENT WOULD COMPLETE INTERNAL CLEARANCES UNTIL DECEMBER, AND THAT SUCH CLEARANCE IS NECESSARY PRIOR TO FORMAL SIGNING OF AGREEMENT. BECAUSE OF CONFLICT RE INTERNAL CLEARANCE PROCEDURES BETWEEN USG AND GOR, SOME ACCOMMODATION WILL BE NECESSARY TO MEET MARCH 1 DEADLINE. GOR DEL STRESSED ITS SERIOUS CONCERN ABOUT LACK OF INFO ON FEES, PERMITS FOR REPLACEMENT VESSELS, AND ANTICIPATED QUOTAS, AND STATED ITS DESIRE TO BE AWARE OF FISHERY RESTRICTIONS PRIOR TO APPLICATION TO U.S. FOR PERMITS. END SUMMARY.

2. THE NEGOTIATIONS CONCLUDED WITH THE FOLLOWING ACCOMMODATIONS RE DRAFT GIFA: TEXT OF PREAMBLE, ARTICLES ONE THROUGH FIVE, SIX, SEVEN, EIGHT, TWELVE, THIRTEEN, FOURTEEN AND FIFTEEN REMAIN UNCHANGED.

3. ARTICLE TWO: A NEW PARA NINE WAS ADDED TO DEFINE AUTHORIZED ENFORCEMENT OFFICERS AS QUOTE PERSONS AUTHORIZED BY THE GOVERNMENT OF THE U.S. TO ENFORCE THE PROVISIONS OF THIS AGREEMENT, WHO, IN MOST CASES, WILL BE AGENTS OF THE U.S. NMFS AND OFFICERS OF THE USCGC UNQUOTE.

4. ARTICLE FOUR: MODIFIED TO DELETE INTER ALIA IN FIFTH LINE AND ADD QUOTE AND SUCH OTHER MATTERS AS MAY BE APPROPRIATE UNQUOTE FOLLOWING LAST SENTENCE. THREE INSERTS IN NEW TEXT REFER SPECIFICALLY TO ROMANIA IN CONTEXT OF TRADITIONAL FISHING, PREVIOUS COOPERATION AND ECONOMIC DISLOCATION.

5. NEW ARTICLE NINE: A NEW ARTICLE NINE WAS INSERTED IN GIFA. QUOTE IN ORDER TO FACILITATE THE PROMPT AND ADEQUATE COMPENSATION OF THE CITIZENS OF ONE COUNTRY FOR ANY LOSS OF, OR DAMAGE TO, THEIR FISHING VESSELS, FISHING GEAR OR CATCH WHICH IS PROXIMATELY CAUSED BY ANY FISHING VESSEL OF THE OTHER COUNTRY, BOTH GOVERNMENTS AGREE TO THE ESTABLISHMENT OF THE AMERICAN-ROMANIAN FISHERIES BOARD SET FORTH IN ANNEX II OF THIS AGREEMENT, WHICH CONSTITUTES AN INTEGRAL PART HEREOF UNQUOTE. SUBSEQUENT ARTICLES OF GIFA ARE RENUMBERED ACCORDINGLY.

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6. ARTICLE NINE: PARA 2 OF ARTICLE NINE IN DRAFT GIFA WAS AGREED, BUT MOVED TO ARTICLE TEN AS PARA 4.

7. ARTICLE ELEVEN: SECOND SENTENCE WAS MODIFIED AS FOLLOWS: QUOTE THE COMPETENT AGENCIES OF THE TWO GOVERNMENTS MAY (REPEAT MAY) ENTER INTO SUCH ARRANGEMENTS AS MAY BE NECESSARY TO FACILITATE SUCH COOPERATION, INCLUDING THE EXCHANGE OF INFORMATION AND

SCIENTISTS, AND REGULARLY SCHEDULED MEETINGS BETWEEN SCIENTISTS TO PREPARE RESEARCH PLANS AND REVIEW PROGRESS, AND SHALL (REPEAT SHALL) IMPLEMENT AND MAINTAIN A STANDARDIZED SYSTEM FOR THE COLLECTION AND ARCHIVING OF RELEVANT STATISTICAL AND BIOLOGICAL INFORMATION IN ACCORDANCE WITH THE PROCEDURES IN ANNEX III, WHICH CONSTITUTES AN INTEGRAL PART OF THIS AGREEMENT UNQUOTE.

8. ARTICLE SIXTEEN: THE WORDS QUOTE OR THEREAFTER UNQUOTE WERE INSERTED AFTER THE DATE JULY 1, 1982.

9. ANNEX ONE: PARA 2. (F) WAS MODIFIED TO INCLUDE QUOTE INCLUDING DESIRED TRANSSHIPPING AREAS UNQUOTE AT THE END. THE WORDS QUOTE COMPETENT AUTHORITIES OF THE UNQUOTE WERE INSERTED PRIOR TO REFERENCES TO EITHER OF THE TWO GOVERNMENTS THROUGHOUT PARAS 1, 3, 5 AND 6. PARA 5 WAS RENUMBERED AS PARA 6, AND PARA 6 RENUMBERED AS PARA 5.

10. ANNEX TWO: ANNEX TWO IS THE SAME AS OLD ANNEX THREE IN THE DRAFT AGREEMENT NEGOTIATED DURING NOVEMBER 19-21 IN WASHINGTON WITH THE FOLLOWING EXCEPTIONS: PARA 2 OF SECTION TWO OF OLD ANNEX THREE WAS DELETED; SECTION SIX OF OLD ANNEX THREE WAS DELETED; AND TWO NEW SECTIONS RE REVIEW AND TERMINATION WHICH ARE IDENTICAL TO RECENT US-POLAND TEXT ARE ADDED.

11. ANNEX THREE: A NEW ANNEX THREE, DRAWN FROM TEXT OF ANNEX THREE OF RECENT US-POLAND GIFA, IS INCLUDED TO DESCRIBE DATA COLLECTION AND REPORTING REQUIREMENTS FOR GOR VESSELS OFF US ATLANTIC COAST. ANNEX IS MADE AMENDABLE AS IN US-POLISH TEXT.

12. AGREED MINUTES: TWO ADREED MINUTES ARE INCLUDED, BOTH DEALING WITH TRANSITIONAL PERIOD:

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QUOTE THE REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF ROMANIA HAVE AGREED TO RECORD THE FOLLOWING IN CONNECTION WITH THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA CONCERNING FISHERIES OFF THE COASTS OF THE UNITED STATES SIGNED TODAY:

1. THE REPRESENTATIVES OF BOTH GOVERNMENTS, TAKING NOTE OF THE AGREEMENT SIGNED TODAY, AND THE DESIRABILITY FOR BOTH GOVERNMENTS TO VOLUNTARILY ABIDE BY CERTAIN CONSERVATION AND MANAGEMENT MEASURES PENDING THE ENTRY INTO FORCE OF SAID

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00

H-02 INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05

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SAL-01 SAJ-01 /127 W

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R 121330Z AUG 76

FM AMEMBASSY BUCHAREST

TO: RUEHC/SECSTATE WASHDC 9227

INFO: RUDKPNQ/AMEMBASSY COPENHAGEN 187

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AGREEMENT, AGREED TO RECORD THE FOLLOWING WITH REGARD TO THE
DRAFT AGREEMENT PREPARED FOLLOWING CONSULTATIONS BETWEEN THE
TWO GOVERNMENTS IN WASHINGTON DURING NOVEMBER 19-21, 1975:

A. THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF
ROMANIA WILL VOLUNTARILY ABIDE BY THE FISHING
RESTRICTIONS AND CONSERVATION MEASURES OF ARTICLE III,
IV, V, VI, IX, XI 2., 3., 4., XIII, AND XIV OF THE
DRAFT AGREEMENT.

B. THE GOVERNMENT OF THE UNITED STATES OF AMERICA
WILL ACCEPT REQUESTS FROM ROMANIAN FISHING, FISHERY
RESEARCH AND FISHING SUPPORT VESSELS TO ENTER DESIGNATED
UNITED STATES PORTS IN ACCORDANCE WITH ARTICLE XII OF
THE DRAFT AGREEMENT.

2. THE REPRESENTATIVE OF THE GOVERNMENT OF ROMANIA STATED
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THAT SHOULD THE INTERNATIONAL CONVENTION FOR THE NORTHWEST ATLANTIC FISHERIES (ICNAF) CEASE TO BE EFFECTIVE WITH RESPECT TO EITHER GOVERNMENT DURING THE TRANSITIONAL PERIOD, THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA INTENDS TO APPLY, IN THAT PORTION OF THE ICNAF CONVENTION AREA OFF THE COAST OF THE UNITED STATES, THE APPLICABLE CATCH, AREA, FISHING GEAR AND SEASONAL RESTRICTIONS THAT WOULD HAVE APPLIED UNDER ICNAF. UNQUOTE

13. RELATED LETTER: THE BODY OF A RELATED LETTER WHICH WOULD BE PROVIDED TO THE GOR BY THE USG AT THE TIME OF SIGNING THE AGREEMENT WAS PREPARED BY THE US DEL AND IS INCLUDED IN THE JOINT DELEGATION REPORT. THE LETTER IS SAME AS PROVIDED POLAND IN WARSAW, EXCEPT THAT NO REFERENCE IS MADE TO PROCEDURES FOR AREAS OTHER THAN THE ATLANTIC. THE LETTER STATES THAT THE USG WILL AUTHORIZE ENTRY OF GOR FISHING, FISHERY RESEARCH AND FISHING SUPPORT VESSELS INTO THE PORTS OF BALTIMORE, NEW YORK AND PHILADELPHIA.

14. THROUGHOUT THE NEGOTIATIONS GOR DEL RAISED SERIOUS CONCERNS RE PRACTICAL PROBLEMS IN IMPLEMENTING AGREEMENT. QUESTIONS ABOUT FEES, OBTAINING PERMITS ON TIMELY BASIS FOR VESSELS WHICH WOULD REPLACE THOSE WHICH ARE UNABLE TO CONTINUE FISHING DUE TO BREAK-DOWN AND THE FISHING RESTRICTIONS (SEASONS, AREAS, GEAR, ETC) USG MIGHT IMPOSE (WHICH COULD IMPACT ON GOR INTERNAL PLANS), ALL WERE RAISED. IN MOST INSTANCES, US DEL STATED PROCEDURAL AND ADMINISTRATIVE MATTERS ARE UNDER REVIEW AND USG WOULD PROVIDE DETAILS ASAP. GOR DEL REPEATEDLY RAISED QUESTION OF ALLOCATIONS AND STATED DESIRE TO INCREASE ITS CATCH OFF US ATLANTIC COAST TO 100,000 MT BY 1980. US DEL RESPONDED THAT THE DETERMINATION OF ALLOCATIONS WERE NOT THE SUBJECT OF THIS NEGOTIATION AND ALLOCATIONS COULD ONLY BE MADE UNDER PROVISIONS OF US LAW. GOR DEL ALSO EXPRESSED DESIRE TO FISH IN NORTH PACIFIC AND REQUESTED A US PACIFIC PORT BE INCLUDED IN THE RELATED LETTER. US DEL REJECTED GOR REQUEST. AFTER FIRST DAY, AND AT US DEL'S INSISTENCE, GOR FELL BACK FROM ITS INITIAL POSITION THAT MFN CONCEPT SHOULD BE INCLUDED IN GIFA.

14. NEGOTIATIONS WERE CONDUCTED IN A MOST FRIENDLY ATMOSPHERE, CONDUCIVE TO THE FRANK EXCHANGE OF VIEWS WHICH CONTRIBUTED TO THE SUBSTANTIAL PROGRESS.

VIETS

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Message Attributes

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